



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. TEL-00894NS

Friday March 25, 2005

NON STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING

Section 214 Applications (47 C.F.R. § 63.18); Cable Landing License Applications (47 C.F.R. § 1.767); Authorize Switched Services over Private Lines (47 C.F.R. § 63.16) and Section 310(b)(4)

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. No application listed below shall be granted by the Commission earlier than the day after the date specified in this public notice for the filing of comments.

Unless otherwise specified, ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Petition for Declaratory Ruling

Cook Inlet/VS GSM VII PCS, LLC ("CIVS VII" or the "Petitioner"), a winning bidder of certain broadband PCS licenses in Auction No. 58, see DA 05-459, requests that the Commission find permissible the indirect foreign ownership of CIVS VII in excess of the 25 percent benchmark set forth in Section 310(b)(4) of the Communications Act of 1934, as amended. Specifically, the Petitioner requests a declaratory ruling approving 85 percent indirect foreign ownership in CIVS VII by Deutsche Telekom AG ("DT").

Petitioner states that CIVS VII and its sole member, Cook Inlet/VS GSM VII PCS Holdings, LLC ("CIVS Holdings"), are Delaware limited liability companies. CIVS Holdings has two members: (1) Cook Inlet Voice and Data Services, Inc. ("CIVDS") and (2) VoiceStream PCS BTA I Corporation ("VSBTA"). CIVDS is the sole manager of and holds all of the Class A membership interests in CIVS. The Petitioner advises that these membership interests, which currently represent a 50.1 percent equity interest in CIVS Holdings, could decrease to 15 percent. The ultimate parent of CIVDS is Cook Inlet Region, Inc., an Alaska Native Regional Corporation organized pursuant to the Alaska Native Claims Settlement Act, 43 U.S.C. § 1601 et seq. VSBTA, the other member of CIVS Holdings, holds 100 percent of the Class B membership interests in CIVS Holdings. These membership interests, which currently represent a 49.9 percent equity interest, could increase to as much as 85 percent. VSBTA is a wholly-owned subsidiary of T-Mobile, a U.S. corporation, which is indirectly wholly-owned by DT, a corporation organized under the laws of the Federal Republic of Germany, a World Trade Organization Member country.

Petitioner asserts that, pursuant to the rules and policies established in the Commission's Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), and the Commission's decision in the VoiceStream-DT Order, IB Docket No. 00-187, FCC 01-142, 16 FCC Rcd 9779 (2001), an indirect 85 percent foreign ownership and voting interest in CIVS VII by DT is consistent with the public interest.

Interested parties may file comments by April 8, 2005 and reply comments by April 15, 2005.

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules. Applicant is affiliated, within the meaning of Section 63.09(e) of the rules, with SaskTel, the incumbent local exchange carrier in the Province of Saskatchewan, Canada. Applicant submits that it warrants classification as a non-dominant U.S. international carrier on the U.S.-Canada route pursuant to Section 63.10(a)(3) of the rules.

REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–.2003.

An updated version of Section 63.09-.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>